

EMUS



Advisory Opinion  
Case No. 97005.E  
Statements of Financial Interests

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To: [REDACTED]

Date: April 16, 1997

Re: Mayor's Domestic Violence Advocacy  
Coordinating Council

On March 17, we received your memorandum requesting an opinion as to whether those appointed to serve on the Mayor's Domestic Violence Advocacy Coordinating Council are required to file Statements of Financial Interests with the Board of Ethics. The Board has concluded that the Governmental Ethics Ordinance does not require them to file. The facts and reasons for our conclusion follow.

**FACTS:** In June 1996, the City's Department of Police received a grant from the United States Department of Justice, Office of Community Oriented Policing Services to aid the Police Department in further developing domestic violence prevention techniques. You have stated that the grant is not part of the City's general budget, but was directly credited to the Chicago Police Department, the fiscal agent of the grant. Pursuant to the grant, the Mayor's Domestic Violence Advocacy Coordinating Council was created. The Department of Police, you said, developed the purpose, responsibilities and composition of the Council.

The Domestic Violence Project Manager and chair of the Coordinating Council, [REDACTED] is a City employee whose salary is paid by the grant, and whose office is situated in the Mayor's Office for Policy. Ms. [REDACTED] provided the Board with a Police Department "Fact Sheet" that describes the grant and the Council. According to Ms. [REDACTED], the duty of the Domestic Violence Advocacy Coordinating Council is to advise the Mayor of pro-active strategies that can be taken to prevent domestic violence, including how to effectively coordinate services relating to domestic violence. The Coordinating Council consists of approximately 15 members, who are appointed by the Mayor. The appointees are not



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EMWS

Case No. 97005.E  
April 16, 1997  
Page 2

approved by City Council and receive no specific remuneration for their work on the Coordinating Council.

Coordinating Council membership includes City employees from different divisions of the Department of Police and from the Departments of Public Health and of Human Services; a representative from the Office of the Cook County State's Attorney and one from the Illinois Department of Children and Family Services; representatives from service providers and victim advocacy groups; representatives from Cook County Hospital and the Metropolitan Healthcare Council; and a researcher. The Coordinating Council will work to develop policies and coordinate interdepartmental and intergovernmental efforts relating to domestic violence. Council members will make recommendations that will be brought to the Mayor through the Domestic Violence Project Manager, Ms. [REDACTED]. The Mayor may then either act upon the recommendations or reject them. The Coordinating Council has no bylaws, no budget of its own and no ability to enter into contracts.

**LAW:** Section 2-156-150(a) of the Governmental Ethics Ordinance states, in relevant part, that Statements of Financial Interest must be filed by:

each appointed official, except a member of an agency that is solely advisory in nature and has no authority to make binding decisions, to enter into contracts or to make expenditures, other than expenditures necessarily incurred for research or in connection with its advisory functions . . .

An appointed official is defined as "any appointed, non-employee member of any City agency." § 2-156-010(q).

**ANALYSIS AND DETERMINATION:** In deciding whether members of an agency are required to file Statements of Financial Interests, the Board considers the criteria set forth in the Ordinance: whether the agency is solely advisory, and whether it has no authority to make binding decisions, to enter into contracts or to make expenditures. According to the information presented, the purpose and function of the Mayor's Domestic Violence Advocacy Coordinating Council is to advise on City policy. Ms. [REDACTED] stated that it cannot enter into contracts and does not make expenditures. She explained that it makes recommendations to the Mayor, but has no authority to make binding decisions. Therefore, from the facts presented, the Board determines that the members of the Mayor's Domestic Violence Advocacy Coordinating Council are not required to file Statements of Financial Interests with this office. Regardless of whether the Coordinating Council is a City agency, it is clearly solely advisory in nature and meets all the

EMWS

Case No. 97005.E  
April 16, 1997  
Page 3

criteria for its members to be exempt from filing Statements of Financial Interests under § 2-156-150(a).

Our determination in this case is based on the application of the Ethics Ordinance to the facts stated in this opinion. If the facts presented are incorrect or incomplete, please notify the Board immediately, as any change in the facts may alter our opinion.

**RELIANCE:** This opinion may be relied upon by (1) any person involved in the specific transaction or activity with respect to which this opinion is rendered and (2) any person involved in any specific transaction or activity that is indistinguishable in all its material aspects from the transaction or activity with respect to which the opinion is rendered.

  
Angeles L. Eames  
Vice Chair